

**List of Current Planning and Enforcement Appeals  
31 January 2017**

Public Inquiries

Reference	Address	Proposal and Decision Type	Officer	Key Deadlines	Date of Hearing/Inquiry	Current Position
W/14/0618	Land north of Common Lane, Kenilworth	Outline application for up to 93 dwellings	Jo Hogarth	TBA	-	In abeyance whilst the applicant considers their position to amend s.106 agreement

Informal Hearings

Reference	Address	Proposal and Decision Type	Officer	Key Deadlines	Date of Hearing/ Inquiry	Current Position

Written Representations

Reference	Address	Proposal and Decision Type	Officer	Key Deadlines	Current Position
W/15/1653	Chesford Bridge House, Bericote Road, Blackdown	Installation of 200 mounted solar panels <b>Delegated</b>	Emma Spandley	Questionnaire: 18/5/16 Statement: 15/6/16 Comments: 29/6/16	Awaiting decision
W/16/0133	29 The Fairways	Two storey extensions (revised scheme) <b>Delegated</b>	Jo Hogarth	Questionnaire: 9/6/16 Statement: 1/7/16 Comments:	Awaiting decision
W/15/1561	Wyken Field, High Cross Lane, Rowington	Certificate of Lawful Development for Residential Use <b>Delegated</b>	Jo Hogarth	Questionnaire: 1/6/16 Statement: 29/6/16 Comments: 20/7/16	<b>Appeal Allowed</b>

The Inspector referred to case law which establishes the principle that the distinctive characteristics of a dwelling house is its ability to afford to those who use it the facilities required for day to day private domestic existence and that the absence of a bathroom or inside toilet does not necessarily prevent the building being a dwelling. The Inspector considered that a building can be used as a single dwelling even though it may not look like a dwelling from the outside. The presence of a bed was not considered to be a pre-requisite of a dwelling. Overall, the Inspector considered that the building allows for day-day private domestic existence and had been adapted for residential purposes containing the facilities associated with use as a dwellinghouse.

W/16/0429	68 Thornby Avenue, Kenilworth	Single Storey Rear Extension <b>Delegated</b>	Liz Galloway	Questionnaire: 2/8/16 Statement: 24/8/16 Comments:	Awaiting decision
W/16/0928	Oak House, Birmingham Road, Budbrooke	Erection of 2 Dwellings <b>Delegated</b>	Helena Obremski	Questionnaire: 6/10/16 Statement: 3/11/16 Comments: 17/11/16	<b>Appeal Dismissed</b>
<p>The Inspector noted the appellant's assertion that the site should not be in the Green Belt but commented that he must consider the appeal on the basis of the site's current designation and it is not for him to determine if the Green Belt boundary is correctly positioned. The Inspector did not consider that the group of buildings within which the site sits is large enough to be considered a village and therefore the proposal was not limited infilling in a village. He considered that the provision of 2 dwellings in a rear garden which is currently undeveloped would have an adverse impact on openness and was therefore inappropriate development in the Green Belt. He did not consider that the small contribution to the 5 year supply of housing outweighed the harm to the Green Belt. He also attached minimal weight to the appellant's permitted development rights to erect buildings within their rear garden.</p>					
W/16/0838	Old Post House, Rowington Green	One Dwelling <b>Delegated</b>	Ian Lunn	Questionnaire: 17/10/16 Statement: 14/11/16 Comments: 28/11/16	<b>Appeal Allowed</b>
<p>The Inspector considered that the terms of emerging Policy H11 in seeking to define 'limited infilling' went beyond the wording of the NPPF and attached very limited weight to the policy as it has not yet been adopted. The Inspector considered that the site formed a gap between Forge Cottage and Crossways in a row of detached dwellings which constitute a small ribbon of development along Old Warwick</p>					

Road and the proposal to insert a detached dwelling in this gap could reasonably to be 'limited infilling' as allowed by Para 89 of the NPPF.					
W/16/1220	32 Stephenson Close, Milverton	Single Storey Dwelling <b>Committee decision in accordance with Officer's recommendation</b>	Helena Obremski	Questionnaire: 10/11/16 Statement: 8/12/16 Comments: 22/12/16	<b>Appeal Dismissed</b>
The Inspector considered the proposed dwelling would represent a significant departure from the established design and appearance of the surrounding development to the extent that it would appear incongruous in the street scene. The plot would also be smaller and visibly narrower than adjacent plots and it would appear cramped and contrived, contrasting with the spacious, open and verdant character of the area. The provision of one house to the Council's 5 year supply of housing did not justify the provision of a dwelling that would appear incongruous.					
W/16/0652	42 Regent Street, Leamington	First floor extension <b>Delegated</b>	Rob Young	Questionnaire: 30/11/16 Statement: 28/12/16 Comments: 11/1/17	In preparation
W/16/0535	The Barn, Big House Farm, Church Road, Norton Lindsey	Change of Use of Annexe to Dwelling House <b>Delegated</b>	Helena Obremski	Questionnaire: 2/12/16 Statement: 30/12/16 Comments: 13/1/17	<b>Appeal Allowed</b>

The Inspector did not consider the fact that the building is set back from the road behind others would result in the proposal being discordant in the village because due to the group of buildings around Big House Farmhouse are set back behind properties on Church Lane and New Road and its position relative to that complex.

W/16/1308	The Barn, Big House Farm, Church Road, Norton Lindsey	Change of Use of Annexe to Holiday Let <b>Delegated</b>	Helena Obremski	Questionnaire: 2/12/16 Statement: 30/12/16 Comments: 13/1/17	<b>Appeal Allowed</b>
Because of the reason to allow the building to be used as a dwelling, the Inspector considered that the use as a holiday let would also be acceptable.					
W/16/0858	Croft Cottage, 165 Bakers Lane, Knowle	Erection of Garage <b>Delegated</b>	Helena Obremski	Questionnaire: 5/12/16 Statement: 27/12/16 Comments: -	<b>Appeal Allowed Award of Costs Refused</b>
The Inspector considered that the replacement dwelling should be considered as the original dwelling for the purposes of Green Belt policy and on this basis, the proposed extension was deemed to be proportionate.					
16/0558/L B	The Woolpack, Market Street, Warwick	Internal Alterations to Listed Building <b>Delegated</b>	Holika Bungre	Questionnaire: 2/12/16 Statement: 30/12/16 Comments: 13/1/17	In preparation

W/16/0818	104 Trinity Street Leamington Spa	Part demolition; erection of 2 storey extension; change of use to 2 x 6 bed HMOs and 2 x 7 bed HMOs. -	Helena Obremski	Questionnaire: 16/12/16 Statement: 13/1/17 Comments: 27/1/17	In preparation
W/16/0782	41 Gaveston Road, Leamington Spa	Ground and first floor extensions <b>Delegated</b>	Holika Bungre	Questionnaire: 19/12/16 Statement: 10/1/17 Comments: -	In preparation
W/16/0515	16 Beauchamp Avenue, Leamington Spa	Removal of Condition to enable the use of a rear building as a separate dwelling <b>Delegated</b>	TBC	Questionnaire: 20/12/16 Statement: 17/1/17 Comments: 31/1/17	In preparation
W/16/0584	8 Priory Road, Warwick	Erection of 2 storey extension and wall <b>Delegated</b>	Helena Obremski	Questionnaire: 9/1/17 Statement: 31/1/17 Comments: -	In preparation
W/16/1103	20 Victoria Street, Warwick	Removal of bay window and single storey extension <b>Committee decision in accordance with Officer's recommendation</b>	Holika Bungre	Questionnaire: 11/1/17 Statement: 2/2/17	In preparation

				Comments: -	
W/16/1515	20 Waverley Road, Kenilworth	Single Storey extension <b>Delegated</b>	Rebecca Compton	Questionnaire: 11/1/17 Statement: 2/2/17 Comments: -	In preparation
<b>New</b> W/16/1755	38 Beaufort Avenue, Cubbington	Various Extensions <b>Delegated</b>	Holika Bungre	Questionnaire: 17/1/17 Statement: 18/2/17 Comments: -	In preparation
<b>New</b> W/16/1109	23 Waller Street, Leamington Spa	First Floor and Ground Floor Rear Extensions <b>Delegated</b>	Rebecca Compton	Questionnaire: 24/1/17 Statement: 15/2/17 Comments: -	In preparation

Tree Appeals


